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**TERMINAL DISCLAIMER TO OBIVATE A DOUBLE PATENTING
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Docket Number (Optional)

29498/30139

In re Application of: Jace N. Green, et al.

Application No.: 09/911,190

Filed: July 23, 2001

For: CELLULAR PANEL AND METHOD AND APPARATUS FOR MAKING THE SAME

The owner, Newell Operating Company., of 100 percent interest in the instant application, as shown by assignment from Home Fashion, Inc. to Newell Operating Company in reel and frame number 7286/0081, and the assignment by the co-inventors Jace N. Green, Bryan K. Ruggles and Richard F. Chacon to Home Fashion, Inc. shown in reel and frame number 7286/0076, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior

Patent Nos. US 5,888,639; US 6,045,890; US 6,284,347B1

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that one or both prior patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

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Signature

May 6, 2004

Date

Jeffrey K. Berger

Typed or printed name

(312) 474-6300

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 06, 2004

Signature:  (Jeffrey K. Berger)